



ULSU Group Complaints Policy, including University of Lincoln Students' Union (ULSU), Lincoln Students' Union Trading Ltd (LSUT), Students' Union Management System Ltd (SUMS), Student Orders Ltd (SO) and Lincoln Students' Union Accommodation Services Ltd (SUAS)

**1. Interpretation**

- a) Words and phrases used in this Policy have the same meaning as are given to them in University of Lincoln Students' Union's Articles of Association (available at <http://lincolnsu.com/about-us/governance>) unless the context otherwise requires.
- b) In this policy the following definitions apply:
- A 'clear day' does not include a Saturday, Sunday, Bank Holiday or Official University holiday (Concessionary Day).
  - 'Complainant' means the person making a complaint. Where applicable the term is to be read as being in the plural.
  - 'Complainee' means the Student Member of ULSU itself (as the case may be) against whom a complaint is made. Where applicable the term is to be read as being in the plural.
  - 'Members' are Student Members of ULSU.

**2. Written Complaints against the ULSU Group (ULSU, LSUT, SUMS, SO, or SUAS)**

- a) The term ULSU Group encapsulates ULSU (University of Lincoln Students' Union), LSUT (Lincoln Students' Union Trading), SUAS (Lincoln Students' Union Accommodation Services), SO (Student Orders) and SUMS (Students' Union Management System); the Group aims to ensure that there is a fair and systematic approach in the enforcement of policy and procedure adopted by its officers, staff, contractors and constituent bodies. To further this aim, any registered student of the University of Lincoln or member of the public who believes they have been negatively affected by the activities of ULSU, LSUT (including the operations of Engine Shed, Tower Bar, The Barge or The Swan), SUAS or SUMS who wishes to make a complaint about:
- any matter related to the activities or operation of ULSU, LSUT, SUAS or SUMS, or
  - an unfair disadvantage arising from non-membership of ULSU, other than for matters of a disciplinary nature;

Individuals may submit a complaint by sending in writing to the following email address: [complaints@lincolnsu.com](mailto:complaints@lincolnsu.com).

Excluding any complaint that falls under Paragraph 4, 5 or 6, receipt of complaints submitted to this email address will be acknowledged within five clear days of their being sent.

All complaints will be logged and reviewed by the Executive Assistant, with support from the Group Chief Executive and Senior Managers within the Group, and responded to or escalated accordingly save where the complaint is frivolous or vexatious.

Depending on the nature and subject of a complaint, the Executive Assistant may direct complaints the following Manager or Senior Managers for investigation:

Complaints against ULSU:	<ul style="list-style-type: none"><li>Deputy Group Chief Executive</li><li>Group Director of Finance</li></ul>
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Complaints against LSUT:	• Head of Commercial Services
Complaints against SUAS:	• Deputy Group Chief Executive

If a complaint is considered as frivolous or vexatious then the complaint will be recorded as normal and the Complainant informed of the reason for this determination, and their right to appeal.

If a complaint is against the Group Chief Executive, this will be directed to the Deputy Chair of the Board of Trustees.

- b) A formal complaint cannot be made about the outcome of a disciplinary process or the way in which a disciplinary process has been undertaken; the appeals process in the disciplinary procedure must be followed in this regard.
- c) Upon completion of any investigation the Senior Manager who led the investigation will write a written report in summary and respond to the Complainant directly, copying in the Executive Assistant for administrative purposes. The investigation should take no longer than 28 days from the initial complaint being made. If the investigation exceeds this time the Executive Assistant will write to the Complainant to inform them of the delay and the reasons for this. The Complainant will be informed of their right to appeal the decision by writing to the Group Chief Executive as detailed in Paragraph 7.
- d) All complaints relating to Student Orders Ltd (SO) should be addressed to [complaints@studentorders.com](mailto:complaints@studentorders.com). Any complaints submitted to this email address will be reviewed, investigated and responded to in the same manner and timeframes as outlined within this policy.
- e) There is an additional procedure in place regarding complaints relating to SUAS, due to the nature of its operations and the associated legislative requirements. This procedure must be read in conjunction with this policy.
- f) There is an additional policy in place regarding complaints relating to SUMS, due to the scope of its operations. This procedure must be read in conjunction with this policy.

### 3. Complaints relating to racism

- a) Any complaints relating to or alleging racism at any ULSU Group events or within the licensed premises will be treated with due consideration and sensitivity as befits the seriousness of the matter. As such, any complaints relating to or alleging racism shall be referred to a BAME independent Complaints Officer to review by the Executive Assistant. The investigation shall remain the prerogative of the Manager, Senior Manager or relevant disciplinary process appointed to investigate the complaint, but the Officer's feedback and shall be treated advisedly and integrated into the investigation and fed back to the Complainant, as necessary. This shall include complaints relating to all possible areas (ie: including student and staff disciplinary matters), although due consideration for confidentiality and natural justice must be maintained.



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- b) The resultant outcome of the complaint, as decided by the Manager, Senior Manager or any disciplinary process, shall then be communicated to the BAME Complaints Officer by the Executive Assistant and the outcome reviewed.
- c) Should the Officer have any concerns regarding the outcome, this shall be directed to the Group Chief Executive or the Deputy Chair of the Board for arbitration, depending on the nature of the initial complaint. They shall then, as Arbitrator, liaise with the Manager/Senior Manager who conducted the investigation and the Officer to reach a majority decision. The decision of the Arbitrator shall be final, excepting concerns on procedural grounds as outlined in Paragraph 8 below.
- d) If the Complainant is dissatisfied with the decision of the Manager or Senior Manager, then they may appeal as outlined in Paragraph 7.

**4. Written Complaints against a Member**

- a) Upon receipt of a written complaint from any person against a Students' Union member, the Executive Assistant will escalate this to the Group Chief Executive; it is within the Group Chief Executive's remit to decide whether the complaint should be upheld or denied. If the Group Chief Executive believes that the complaint does not necessitate further action, then the complaint shall be dismissed as either frivolous or vexatious.
- b) If a complaint is upheld, then the Group Chief Executive will appropriately refer the matter to either the Informal or Formal Disciplinary procedure which will be enacted as per the Student disciplinary procedures for member(s), Committees, Societies and Sports Clubs forming part of the Code of Conduct of the Students' Union.
- c) Following receipt of further information, the Group Chief Executive may re-visit the decision taken under Paragraph 4(a) as to whether to refer a complaint to the Student disciplinary procedures for member(s), Committees, Societies and Sports Clubs forming part of the Code of Conduct of the Students' Union.

**5. Complaints about ULSU Group Employees**

- a) If a complaint relates to an individual ULSU Group employee, other than a Student Trustee or a Sabbatical Trustee (Student Leader), the Executive Assistant will escalate this to the Group Chief Executive and this policy shall not apply; the Group Chief Executive will deal with such a complaint under the ULSU Group's internal disciplinary procedures as appropriate. In this event the Complainant will be informed, and the Group Chief Executive will resolve the complaint using any means at their disposal and at their discretion. The Complainant will not be informed of the outcome of the disciplinary process unless sanctioned by the Group Chief Executive. The decision of the Group Chief Executive on this matter is final.

**6. Complaints about Sabbatical Trustees**

- a) If a complaint relates to a Sabbatical Trustee (Student Leader), the Executive Assistant will escalate this to the Group Chief Executive. The Group Chief Executive, depending the nature of the complaint



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(i.e. it does not breach the Code of Conduct of Office or the Terms and Condition of Office), the Group Chief Executive may dismiss the complaint and advise the Complainant to use the democratic accountability processes as outlined in the Bye-Laws to seek redress. In all cases the Complainant will be informed of their right to appeal under Paragraph 7 of this Policy.

- b) If the Group Chief Executive accepts the complaint against the Sabbatical Trustee, then this Policy shall not apply, and the Group Chief Executive will deal with such complaint under the Sabbatical Trustee Terms of Office document. In this event the Complainant will be informed and the Supervising Trustee, advised by the Group Chief Executive, will resolve the complaint using any means at their disposal. The Complainant will not be informed of the outcome of the disciplinary process unless sanctioned by the Supervising Trustee. The decision of the Supervising Trustee on this matter is final.

## **7. Appeal**

- a) If the Complainant is dissatisfied with the decision of the Senior Manager to not progress a complaint or with the outcome of a complaint, they may request that the issue is referred to the Group Chief Executive in writing (ceo@lincolnsu.com), clearly stating the grounds for appeal, within five clear days of the date of the correspondence resolving the complaint being sent. If the Group Chief Executive believes that the grounds outlined are legitimate, they shall investigate the matter and inform the Complainant of the outcome of this investigation. If the Group Chief Executive finds that the grounds are frivolous or vexatious, and no new evidence has come to light, then they may refuse the appeal; their decision on this matter is final.
- b) The Group Chief Executive may take the any of the following actions:
  - i. make any decision, or order any remedial action in respect of the complaint; and/or
  - ii. make changes to policies and procedures; and/or
  - iii. instigate disciplinary action against any Student Members or Trustees.

The Group Chief Executive will write to the Complainant within five works days to inform them of the outcome of appeal.

## **8. University Appeal**

- a) If, and only if, the Complainant or the Complainee believes that the procedure set out in this Complaints Policy has not been followed correctly, they may request that the issue is referred to the University in accordance with the Code of Practice. Such a request is to be made to the University Registrar by the Complainant or Complainee (as applicable) within five clear days of the date of the letter sent by the Group Chief Executive under Paragraph 7. The Registrar or their nominated Deputy shall review the documentation about the complaint and the consideration of it by the Complaints Panel and/or Appeal Panel and will determine whether the procedures of this Complaints Policy have been properly followed in all the circumstances. Exceptionally, the Registrar or their nominated Deputy may convene a meeting(s) with relevant individuals before reaching a determination.



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## ULSU Complaints Policy Process

